

JUL 30 2007

Application No. 10/713,022
Amendment dated July 30, 2007
After Final Office Action of March 29, 2007

Docket No.: 0941-1763PUS1

REMARKS

Claims 1, 2 and 4-28 are now present in this application.

Claims 1, 4-10 and 13 have been amended, claim 3 has been cancelled without prejudice or disclaimer, and claim 28 has been presented. Reconsideration of the application, as amended, is respectfully requested.

Rejections under 35 USC 102 and 103

Claims 1, 2, 9 and 24 stand rejected under 35 USC 102(e) as being anticipated by Sugar et al., U.S. Patent 6,728,517. This rejection is respectfully traversed.

Claims 25-27 stand rejected under 35 USC 103 as being unpatentable over Sugar et al. This rejection is respectfully traversed.

Applicant gratefully acknowledges that the Examiner considers claims 3-8 and 10-23 to contain allowable subject matter. Without conceding the appropriateness of the Examiner's rejections, but simply to expedite prosecution of this application, it is noted that limitations from objected-to but allowable claim 3 have been incorporated into independent claim 1. Accordingly, independent claim 1 and its dependent claims 2 and 4-27 should now be in condition for allowance. Accordingly, reconsideration and withdrawal of the 35 USC 102 and 103 rejections are respectfully requested.

Newly Presented Claim

With regard to newly presented independent claim 28, it is noted that this claim includes limitations from independent claim 1 and objected-to but allowable claim 10. Accordingly, this

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claim 28 should also be allowable. Because the Examiner has already considered the combination of this particular subject matter, it is respectfully submitted that this claim does not raise new issues or contain new matter, and should be entered.

Amendments to the Claims

It is also noted that the dependency of claims 4-8 has been updated, and that certain typographical errors have been corrected in claims 9, 10 and 13. These changes do not raise new issues or contain new matter and, as such, should be entered.

Conclusion

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

In the event the Examiner does not consider this application to be in condition for allowance, it is respectfully requested that this Amendment be entered for the purposes of Appeal. This Amendment should overcome the current grounds of rejection and therefore simplify the issues for Appeal. Nonetheless, it should be unnecessary to proceed to Appeal because the instant application should now be in condition for allowance.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is attached herewith.


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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 30, 2007

Respectfully submitted,

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